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Attorney General Beau Biden successfully begins statewide program to fight crime and drugs in Delaware's neighborhoods

First property in a statewide program initiated by Attorney General Biden placed under court order requiring its owners to take immediate action to clean up illegal drug and vice activity on the site

Wilmington, DE – Yesterday at a hearing in Georgetown sought by the Delaware Department of Justice, a Superior Court Judge declared that a residential property in West Rehoboth was the site of drug and vice crime and ordered immediate action taken to protect the community.

“Today is a great day for the residents of West Rehoboth and for all Delawareans who work hard to protect their families and maintain safe and secure neighborhoods,” stated Attorney General Joseph R. Biden, III. “The Delaware Department of Justice is taking proactive steps to eliminate drug and vice crime from the streets where we live and work.”

In August, 2007 Attorney General Biden announced an offensive by the Delaware Department of Justice to reduce crime across the state by aggressively enforcing Delaware’s recently enhanced Drug Nuisance and Social Vices Abatement Act. The Act provides law enforcement with tools to weed out properties where drug and other vice crimes take place. In yesterday’s temporary abatement hearing the Department of Justice petitioned Superior Court to order that immediate steps be taken against egregious criminal activity occurring at a West Rehoboth property, located at 136 Norwood Street.

“This West Rehoboth property is the first residential property in Delaware to be judicially declared a nuisance under the Nuisance Abatement Act,” Attorney General Biden stated. “This law is a powerful tool at our disposal and we will continue to use it up and down our state to weed out the bad apples poisoning our neighborhoods.”

In his ruling Judge T. Henley Graves ordered that several conditions must be met within 15 days, including:

- Any tenant on the property besides the property owners must be evicted
- Two apartments on the property must be vacated and shuttered
- Only the property owners and a limited number of specific family members are permitted on the property at any time
- Signs must be posted stating that loitering, trespassing, and illegal drug sales are prohibited

Any other person(s) who enters the property would be subject to arrest on charges of criminal trespass. These conditions remain in effect until a permanent abatement hearing is held in Superior Court.

Attorney General Biden also announced that the Department of Justice yesterday filed a lawsuit against the owners of an adjoining property in West Rehoboth as part of its effort to combat criminal activity in that community. Since December 2006 the Department of Justice has issued written notices statewide to the owners of 12 residential properties and 7 commercial properties. These notices state that the Department of Justice has determined that a nuisance exists on the property and give property owners the choice of either voluntarily cooperating to clean up the illegal activity on their properties, or of defending themselves in court and ultimately being forced to clean up the crime on their properties by court order.

Delaware's Drug Nuisance and Social Vices Abatement Act stipulates the process law enforcement can use to take action against nuisance properties. Upon a finding that a residential or commercial property is conducting or permitting drug distribution, prostitution, or other illegal drug activity, the Department of Justice may bring a civil action to abate the activity. Abatement actions can take the form of a variety of possible remedies, including the closure of a property.

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